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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

) PATENT APPLICATION

Inventor(s): Cherisse M. Nicastro et al.

SC/Serial No.: 10/020,552

Filed: October 30, 2001

Title: BUSINESS ASSET MANAGEMENT
SYSTEM) Customer No. 28554DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if one name is listed below), first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

BUSINESS ASSET MANAGEMENT SYSTEM

the specification of which (check applicable ones):

is filed herewith;

X

was filed with the above-identified "Filed" date and "SC/Serial No."

was amended on (or amended through) _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of the application in accordance with Title 37, Code of Federal Regulations, §1.56.

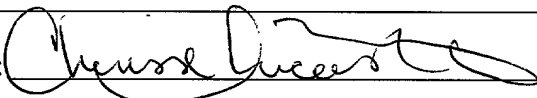
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(1) Full name of sole
or first inventor: Cherisse M. Nicastro

(1) Residence: 10725 Del Rudini, Las Vegas, Nevada 89141

(1) Post Office Address: same as above

(1) Citizenship: U.S.A.

(1) Inventor's signature: 

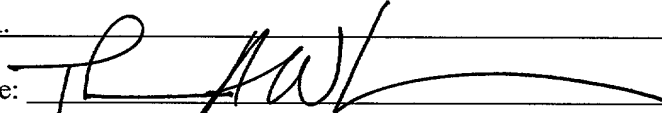
(1) Date: 1/23/02

(2) Full name of second
joint inventor: Thomas A. Wucherer

(2) Residence: 10249 Red Bridge Avenue, Las Vegas, Nevada 89134

(2) Post Office Address: same as above

(2) Citizenship: U.S.A.

(2) Inventor's signature: 

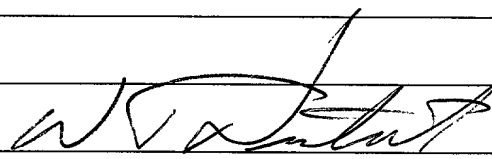
(2) Date: 1-30-2002

(3) Full name of third
joint inventor: W. Todd Nisbet

(3) Residence: 1813 Cedar Flat Lane, Las Vegas, Nevada 89134

(3) Post Office Address: same as above

(3) Citizenship: U.S.A.

(3) Inventor's signature: 


(3) Date: 1/30/02

(4) Full name of fourth
joint inventor: Anthony A. Marnell II

(4) Residence: 7011 South Pecos Road, Las Vegas, Nevada 89120

(4) Post Office Address: same as above

(4) Citizenship: U.S.A.

X (4) Inventor's signature: 

(4) Date: 1/28/02

(5) Full name of fifth

joint inventor: Anthony A. Marnell III

(5) Residence: 2223 Vista Famosa Court, Las Vegas, Nevada 89123

(5) Post Office Address: same as above

(5) Citizenship: U.S.A.

(5) Inventor's signature: Anthony Marnell III

(5) Date: 1/23/2007

(6) Full name of sixth

joint inventor: Herman Spencer Jr.

(6) Residence: 6843 Vintage Highlands Lane, Las Vegas, Nevada 89110

(6) Post Office Address: same as above

(6) Citizenship: U.S.A.

(6) Inventor's signature: [Signature]

(6) Date: 01/23/02

Title 37, Code of Federal Regulations, §1.56

SECTION 1.56. DUTY TO DISCLOSE INFORMATION
MATERIAL TO PATENTABILITY

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98.* However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office; or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

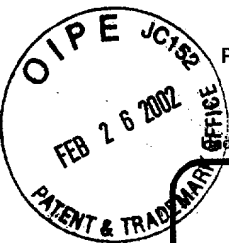
(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

* §§1.97(b)-(d) and 1.98 relate to the timing and manner in which information is to be submitted to the Office.



Please type a plus sign (+) inside this box → ☐

PTO/SB/81 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	10/020,552
Filing Date	October 30, 2001
First Named Inventor	Cherisse M. Nicastro
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	TRIRG-01000US0

I hereby appoint:

☒ Practitioners at Customer Number

28554

OR

☐ Practitioner(s) named below:



Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☒ Firm or
Individual Name

Larry E. Vierra, Esq.

Address

Vierra Magen Marcus Harmon & DeNiro LLP

Address

685 Market Street, Suite 540

City

San Francisco

State

California

Zip

94105

Country

United States of America

Telephone

(415) 369-9660

Fax

(415) 369-9665

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name

I. Scott Bogatz

Signature

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

JOINT TO CORPORATE ASSIGNMENT

WHEREAS, the undersigned Inventors:

- (1) Cherisse M. Nicastro, a resident of 10725 Del Rudini, Las Vegas, NV 89141; and
- (2) Thomas A. Wucherer, a resident of 10249 Red Bridge Avenue, Las Vegas, NV 89134; and
- (3) W. Todd Nisbet, a resident of 1813 Cedar Flat Lane, Las Vegas, NV 89134; and
- (4) Anthony A. Marnell II, a resident of 7011 South Pecos Road, Las Vegas, NV 89120; and
- (5) Anthony A. Marnell III, a resident of 2223 Vista Famosa Court, Las Vegas, NV 89123; and
- (6) Herman Spencer Jr., a resident of 6843 Vintage Highlands Lane, Las Vegas, NV 89110,

have invented certain new and useful improvements in:

BUSINESS ASSET MANAGEMENT SYSTEM

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention:

1. ☐ On the Date of Execution of Declaration for Patent Application set forth below adjacent to my signature;
- Or
2. ☒ Said application having SC/Serial Number 10/020,552 and filed on the 30th day of October, 20 01.

WHEREAS TRIRIGA, INC. (hereinafter termed "Assignee"), a corporation of the State of Nevada, having a place of business at 4285 S. Polaris Avenue, Las Vegas, State of Nevada (89103), wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by each of said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any

application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed this instrument on the date of acknowledgement before the Notary Public as given below and delivered this instrument to said Assignee:

Date of Execution of Declaration for Patent Application: 1/23/02

(1) *Cherisse M. Nicastro*
Cherisse M. Nicastro

State of NEVADA

County of CLARK

On 1/23/02

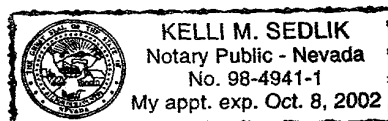
before me,

Kelli M. Sedlik ^{NOTARY}
Cherisse M. Nicastro ^{PUBLIC}
(name and title of officer)

personally appeared CHERISSE NICASTRO, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature *Kelli M. Sedlik*



Date of Execution of Declaration for Patent Application:

1-30-2002

(2)

Thomas A. Wucherer

State of

Nevada

County of

Clark

On

1-30-02

before me,

Thomas Wucherer A.K. A.K. ZEBKO

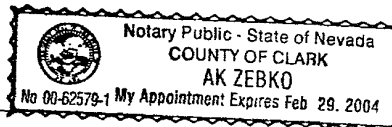
(name and title of officer)

personally appeared Thomas Wucherer, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

A.K. ZEBKO



Date of Execution of Declaration for Patent Application:

1/30/02

(3)

W. Todd Nisbet

State of

Nevada

County of

Clark

On

January 30, 2002

before me,

Erin E. Heimgartner, Notary Public

(name and title of officer)

personally appeared W. Todd Nisbet, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Erin E. Heimgartner



Date of Execution of Declaration for Patent Application: 1/28/02

(4) Anthony A. Marnell II
Anthony A. Marnell II

State of Nevada

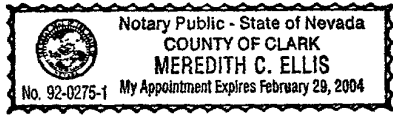
County of Clark

On 1/28/02 before me, Meredith C. Ellis Notary Public
Anthony A. Marnell II (name and title of officer)

personally appeared Marnell II, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Meredith C. Ellis



Date of Execution of Declaration for Patent Application: 1/23/2002

(5) Anthony A. Marnell III
Anthony A. Marnell III

State of NEVADA

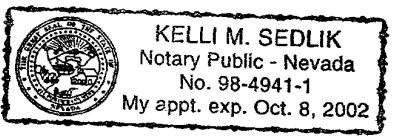
County of CLARK

On 1/23/02 before me, KELLI M. SEDLIK, NOTARY PUBLIC
ANTHONY A. MARNELL III (name and title of officer)

personally appeared MARNELL III, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Kelli M. Sedlik



20055-0260 209229-25502001

Date of Execution of Declaration for Patent Application: 01/23/02

(6) Herman Spencer Jr.

State of NEVADA

County of CLARK

On 1/23/02 before me, KELLI M. SEDLIK, NOTARY PUBLIC
(name and title of officer)

personally appeared HERMAN SPENCER, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Kelli M. Sedlik

